

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 NOV -1 PM 12:39

OAKLAND CITY COUNCIL

RESOLUTION No. 87418 C.M.S.

Introduced by Councilmember _____

Approved as to Form and
Legality


City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: (1) NEGOTIATE AND EXECUTE AN AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY FOR COST-SHARING OF JOINT-BENEFIT PAVING PROJECTS THROUGHOUT OAKLAND, (2) ACCEPT AND APPROPRIATE FUNDS FROM PACIFIC GAS AND ELECTRIC COMPANY ON A CASE-BY-CASE BASIS PER THE EXECUTED AGREEMENT WITHOUT RETURNING TO COUNCIL, AND (3) WAIVE ADVERTISING AND COMPETITIVE BIDDING FOR CONSTRUCTION CONTRACTS EXECUTED AS PART OF THIS AGREEMENT.

WHEREAS, Pacific Gas and Electric Company (PG&E) provides Oakland residences gas and electric service and due to the aging infrastructure for gas supply delivery throughout PG&E's service locations, PG&E continues to deliver capital improvement projects to upgrade gas lines; and

WHEREAS, PG&E is required to provide pavement restoration according to the Oakland Municipal Code (OMC) Excavation Requirements Section 12.12.112; and

WHEREAS, pavement restoration is part of utility trench work but it does not cover the entire roadway area; and

WHEREAS, as part of the City's paving program and PG&E's improvements, there are potential opportunities for both the City and PG&E to collaborate on comprehensive paving of roadway in Oakland; and

WHEREAS, in order to provide full-width paving, resources need to be combined in a cooperative manner between a utility company and the City in order to jointly extend paving beyond the utility work; and

WHEREAS, this agreement allows the City Administrator, or designee, to negotiate a cost-sharing agreement with PG&E, on a case-by-case basis, for full-width paving of roadways as each opportunity may involve either PG&E or the City to perform the work; and

WHEREAS, approval of this resolution will enable the City Administrator, or designee, to pay PG&E for pavement restoration the portion of pavement outside PG&E's required areas; and

WHEREAS, approval of this resolution will enable the City Administrator, or designee, to waive advertising and bidding for construction contracts executed as part of this agreement; and

WHEREAS, funds for the City's portion of pavement restoration work is budgeted and available in the Department of Transportation as it is intended to use existing appropriation through individual projects as opportunities arise, be it; and

WHEREAS, the locations to be chosen for cost-sharing opportunities will follow the City's paving policy adopted by City Council on October 2014 (Resolution No. 85227 C.M.S.) or paving policies adopted by City Council in the future; and

WHEREAS, this agreement does not obligate the City and PG&E to participate in cost-sharing opportunities for paving; however, having a mechanism to share costs for pavement restoration between the two entities improves paving conditions and is a direct benefit to the public; and

WHEREAS, approval of this resolution will enable the City Administrator, or designee, to accept and appropriate funds from PG&E on a case-by-case basis without returning to Council; and

RESOLVED: That the City Administrator, Department of Transportation Director, or Department of Transportation Assistant Director, is authorized to negotiate and execute an agreement with Pacific Gas & Electric Company for cost-sharing of joint-benefit paving projects throughout Oakland; and

FURTHER RESOLVED: That the City Council finds and determines that it is in the best interest of the City to waive further advertising and competitive bidding per Oakland Municipal Code (OMC) Section 2.04.050.1.5 when on a case-by-case basis PG&E agrees to perform full-width repaving on behalf of the City ensuring timely and coordinated delivery of roadway repairs, and be it

FURTHER RESOLVED: That approval of this resolution will enable the City Administrator or designee to accept and appropriate funds for cost sharing of joint-benefit paving projects from PG&E on a case-by-case basis per the executed agreement without returning to Council; and be it

FURTHER RESOLVED: That funds will be accepted and appropriated based on actual revenues received from PG&E and will be placed in:

- Miscellaneous Grants Fund (2999) Complete Streets Paving and Sidewalks (35213); Project No. To be determined;

NOV 27 2018

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

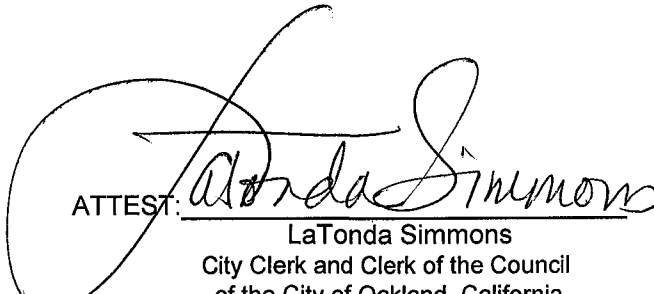
AYES - ~~10~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Brooks

ATTEST: 
 LaTonda Simmons
 City Clerk and Clerk of the Council
 of the City of Oakland, California